

To: Richard Denton [rdenton@ccwater.com]
Cc: []
Bcc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Tue 8/2/2005 12:05:01 AM
Subject: RE: Ltr to SWRCB re: periodic review of Bay Delta WQCP
DWR-DFG-SWRCB Response to Machado 9 May 2005.pdf

We should probably have an off-line discussion about antidegradation. No real rush, but soon.

Richard Denton <rdenton@ccwater.com>
07/26/2005 06:19 PM
To Tom Hagler/R9/USEPA/US@EPA
cc
Subject RE: Ltr to SWRCB re: periodic review of Bay Delta WQCP

Thanks Tom. I was on vacation for three weeks so could not reply earlier. Your letter makes a lot of good points consistent with CCWD's interests. I appreciate your support.

Our June 3 final Periodic Review letter is on the SWRCB Periodic review website at
<http://www.waterrights.ca.gov/baydelta/docs/exhibits/CCWD-EXH-21.pdf>

I was thinking that instead of the WOMT (no stakeholders, no EPA) replacing the CALFED Ops Group in making determinations on X2 flexing etc., we need a joint agency/stakeholder group like the Authority that is assigned to deal with operational decisions. This would be consistent with December 1994 Accord which had three parts (a) SWRCB standards, (b) CALFED Bay-Delta Program, and (c) setting up an operations group. The Authority deals with (b) and the "Operations Committee" would handle (c), i.e., day-to-day operational decisions like flexing, etc. The "Operations Committee" could report to the Authority like the BDPAC. [I appreciate that this may raise all sorts of FACA, etc. issues, but we need to get stakeholders and water quality protectors back in the operations decision-making loop]

Note however that the SWRCB is still not getting the message regarding antidegradation and the need for better Delta water quality for drinking water use.

The following is from the attached Snow (DWR), Broddrick (DFG), Baggett (SWRCB) Letter to Senator Machado, dated May 9, 2005, in answer to Question 2: How would these new contracts (and their expanded deliveries) affect the ability of the California Bay-Delta Authority (Authority) to achieve the water quality and ecosystem restoration goals of the program, including complying with water quality standards and restoring fisheries and riparian habitat?

DWR, DFG & SWRCB Answer:

..... To the extent that deliveries to the in-basin contractors increase under the contracts, inflow to the Delta could decrease. In some cases, current conditions are better than the conditions water quality standards require. Increased deliveries to in-basin contractors could impair water quality, but the resulting conditions would still comply with water quality objectives and should be adequate to protect

the uses the standards are meant to address

CCWD's testimony on Periodic Review Topic 4 focused on the need to improve Delta water quality to address drinking water source water quality needs. We argued Delta quality is far from adequate to protect the uses that are meant to be protected.

-----Original Message-----

From: Hagler.Tom@epamail.epa.gov [mailto:Hagler.Tom@epamail.epa.gov]

Sent: Wednesday, June 29, 2005 11:58 AM

To: undisclosed-recipients

Subject: Fw: Ltr to SWRCB re: periodic review of Bay Delta WQCP

FYI. This letter was sent by Karen on June 21.

It deals with (1) Flexing X2, and (2) the Vernalis EC standard.

(See attached file: periodicreview-june05.wpd)